

## PERFORMANCE SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Thursday, 24 May 2018 commencing at 10.00 am and finishing at 1.45 pm

### Present:

**Voting Members:** Councillor Liz Brighthouse OBE – in the Chair  
Councillor Jenny Hannaby (Deputy Chairman)  
Councillor Nick Carter  
Councillor Mike Fox-Davies  
Councillor Tony Ilott  
Councillor Liz Leffman  
Councillor Charles Mathew  
Councillor Glynis Phillips  
Councillor Emily Smith  
Councillor Liam Walker  
Councillor Jeannette Matelot (In place of Councillor Michael Waine)

### Officers:

Whole of meeting Katie Read (Senior Policy Officer); Colm Ó Caomhánaigh, Committee Officer.

Part of meeting

<b>Agenda Item</b>	<b>Officer Attending</b>
7	Rachel Burns, Strategy Officer (Waste)
9	Janet Johnson, Strategic Lead for Vulnerable Learners
9,12	Lucy Butler, Director for Children's Services
10,11	Lorna Baxter, Director for Finance; Steven Fairhurst Jones, Corporate Performance and Risk Manager
12	Lara Patel, Deputy Director – Safeguarding; Vince Clark, Service Improvement Lead; Hannah Farncombe, Deputy Director – Children's Social Care.

*The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and agreed as set out below. Copies of the agenda, reports and schedule are attached to the signed Minutes.*

### **21/18 ELECTION OF CHAIRMAN FOR THE 2018/19 COUNCIL YEAR** (Agenda No. 1)

Councillor Nick Carter moved and Councillor Glynis Phillips seconded that Councillor Liz Brighthouse be elected Chairman of the Committee for the 2018/19 Council Year.

**RESOLVED:** (nem con) that Councillor Liz Brighthouse be elected Chairman of the Committee for the 2018/19 Council Year.

**22/18 ELECTION OF VICE-CHAIRMAN FOR THE 2018/19 COUNCIL YEAR**  
(Agenda No. 2)

Councillor Liz Leffman moved and Councillor Liz Brighthouse seconded that Councillor Jenny Hannaby be elected Vice-Chairman of the Committee for the 2018/19 Council Year.

**RESOLVED:** (nem con) that Councillor Jenny Hannaby be elected Vice-Chairman of the Committee for the 2018/19 Council Year.

**23/18 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**  
(Agenda No. 3)

Apologies were received from Councillor Michael Waine (substituted by Councillor Jeannette Matelot).

**24/18 DECLARATIONS OF INTEREST - GUIDANCE NOTE ON BACK PAGE OF THE AGENDA**  
(Agenda No. 4)

There were no declarations of interest.

**25/18 MINUTES**  
(Agenda No. 5)

The minutes of the meeting on 15 March 2018 were approved and signed as a correct record.

**26/18 PETITIONS AND PUBLIC ADDRESS**  
(Agenda No. 6)

A request was received from Councillor John Howson to speak on item 9 – “Joint Local Area Inspection of Special Educational Needs and Disabilities (SEND)”. It was agreed to receive his presentation at the start of that item.

**27/18 HOUSEHOLD RECYCLING DEEP DIVE REPORT**  
(Agenda No. 7)

Councillor Leffman presented the “deep-dive” report. There were seven recommendations from the group as well as seven other areas identified as being worthy of further enquiry. The Chairman put the seven recommendations individually to the Committee.

1. Re-establish and fully fund the Oxfordshire Waste Partnership, with a commitment to increasing recycling rates from 60% to 75% by 2025.

It was agreed to replace “Re-establish and fully-fund” with “Consider re-establishing” as there is no estimate available as to the cost.

2. Focus on communicating the cost advantages of recycling to residents (We could double the spending on our roads if we saved £3 million!).

It was agreed to delete the sentence in brackets as the £3 million figure relates to the increased spending on roads and not the total spending.

Recommendations 3 to 6 were agreed.

7. Make a comparative study of other councils’ waste services.

It was agreed to add “, including in relation to new technologies.”

Another recommendation was suggested and agreed.

“8. Work with manufacturers and retailers to ensure adoption of consistent packaging policies that mean materials are recyclable.”

The group will come back again with a report on the matters for further consideration.

**RESOLVED: to make the following proposals to Cabinet –**

**1. Consider re-establishing the Oxfordshire Waste Partnership, with a commitment to increasing recycling rates from 60% to 75% by 2025.**

**2. Focus on communicating the cost advantages of recycling to residents.**

**3. Improve support for “re-use, recycle” to avoid materials getting into the chain in the first place.**

**4. Work with local councils to create greater synergy in waste collection services.**

**5. Create a strategy for effectively communicating to residents what they can recycle and how, particularly food waste.**

**6. Work towards recycling items that are currently going to incineration: laminated pouches, plastic film etc.**

**7. Make a comparative study of other councils’ waste services, including in relation to new technologies.**

**8. Work with manufacturers and retailers to ensure adoption of consistent packaging policies that mean materials are recyclable.**

Councillor Carter summarised the interim report of the “deep-dive” on behalf of the group which also included Councillor Emily Smith and Councillor Phillips.

The Committee decided to look into the issues for young carers following the report of the Oxfordshire Health Inequalities Commission which only looked at support for older carers. The interim report identifies six areas for further exploration and six areas in which it considers that recommendations could be developed.

Councillor Carter also suggested appointing a Champion for Young Carers. The councillors in the group thanked the officers for their support in the deep-dive and in producing the interim report.

**RESOLVED: to**

- a) **review and consider the interim findings of the deep dive into how the Council identifies and supports young carers to reduce the inequalities they face.**
- b) **consider the next steps and suggest any further lines of inquiry for the deep dive.**
- c) **agree to receive final recommendations from the deep dive at the July Performance Scrutiny Committee meeting.**

**29/18 JOINT LOCAL AREA INSPECTION OF SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)**

(Agenda No. 9)

It was agreed that following the discussion of the report there will be a discussion about the proposal going to Cabinet for a consultation process on closing Northfield School.

Ms Johnson introduced the report which focused on how the local area is tackling areas of significant weakness identified in the inspection.

Officers responded to Members’ questions as follows:

- The proportion of Education Health and Care Plans (EHCPs) completed within 20 weeks has improved from 32% at the time of the report to near 50%.
- About 500 requests were received this year, though this is increasing. It represents around 2.1% of children, which is in line with the national average.
- The children presenting now for EHCPs have increasingly complex needs – mostly in relation to mental health.
- The Cabinet Member with responsibility, Councillor Hibbert-Biles, has personally lobbied the Government for increased funding.
- Case law has lowered the bar for getting an EHCP. The refusal rate in Oxfordshire is below the national average.
- If there were fewer EHCPs, more money could be spent helping schools deal with the issues in general which would in turn reduce the need for EHCPs.
- It was agreed to circulate data on EHCPs and tribunal decisions relating to EHCP refusals.

- EHCPs are reviewed every 12 months, though emergency reviews can also take place.
- Home to School Transport is not part of the EHCP framework.
- A small amount of extra funding - £1 million – was received from central government following a review of the formula but it is nowhere near enough to drive change.
- Officers are looking at more efficient use of resources with high needs children.
- A summary chart is produced every six weeks. It was agreed to circulate this to Members of the Committee and the Chairman undertook to monitor it.
- Membership of the main parent/carer group supporting co-production has declined. It was agreed to consider how councillors could get involved and help reinvigorate the group.

**RESOLVED: to note the report.**

Councillor John Howson expressed concern about the proposal to consult on closing Northfield School. He asked if Government funds allocated to prioritise spending on the schools which are in the worst condition could be used.

Ms Butler apologised for the speed with which this proposal had emerged but felt that the situation was now critical. The main school site had to close due to asbestos and children are now accommodated in portacabins and at Hill End. Staff are concerned that these alternative arrangements are not suitable and that the school site is not fit for purpose.

Members raised various issues and Ms Butler responded as follows:

- There are currently 71 boys from all over Oxfordshire at the school with social, emotional and mental health needs.
- It will be difficult to find alternative solutions for 71 children – it may be possible to include some in mainstream schools but some will need special care.
- With the school population bulge now moving from primary to secondary level there may be opportunities to find solutions in primaries.
- Officers will look at co-educational solutions but do not want to rule anything out at this stage.
- The proposal goes to Cabinet on 4 June. If the consultation goes ahead it will finish at the end of the school term with a paper going to the July Cabinet meeting. There would be a further four weeks for representations which would take us to the September Cabinet meeting. It would be implemented by the end of December.
- If alternative solutions can be found for children in the meantime they will be taken.
- The normal annual budget for the school is £1.5m.

**AGREED:**

The Committee is minded to support the consultation with the following recommendations -

- The families involved must be consulted by July and all pupils' EHCPs must be reviewed.
- Alternative provisions must take account of what is best for each child and there should be a smooth transition to other forms of education.
- It would be best to find alternatives within Oxfordshire.
- The proposals must be tested against equality and inclusion.
- Increasing the number of resource bases in mainstream schools should be considered.

### **30/18 NARRATIVE REPORT 2017-18**

(Agenda No. 10)

### **31/18 STRATEGIC DIRECTION AND OUTCOMES FRAMEWORK 2018-19**

(Agenda No. 11)

It was agreed to discuss Items 10 and 11 together.

Ms Baxter introduced the draft Narrative Report which must be included in the annual Statement of Accounts and invited Members to comment. Mr Fairhurst Jones introduced the report on the Strategic Direction and Outcomes Framework and asked Members to consider if there was an adequate array of indicators, and if there were particular underlying measures they would expect to be in use.

Officers responded to Members' comments as follows:

- A report on lessons to be learned from the Northamptonshire case was presented to the Political Group Leaders and the Audit Working Group. It can be circulated to Members of this Committee.
- The main issues were around governance, accountability and financial control.
- Any money required for the next phase of Fit For the Future in 2018/19 will come from reserves. Beyond that it could be a balance of reserves and having first call on savings and will be agreed as part of the 2019/20 Service & Resource Planning process.
- The £9.4m paid to Carillion to settle the final accounts was agreed prior to their bankruptcy. It is not possible to state that there will be no further payments as we are in a legal process and our current position is that we are not making any payments relating to outstanding sums due to Carillion for the period pre liquidation of the company.
- The outcome on numbers of apprenticeships is relevant to children over-16. The specific measures will include data relevant to them.

The Chairman suggested including statistics on the numbers with level 3 qualifications which is relevant to employment issues especially social care.

### **32/18 DEMAND MANAGEMENT IN CHILDREN'S SOCIAL CARE**

(Agenda No. 12)

Ms Butler introduced a presentation and summarised the feedback from OFSTED. Oxfordshire is the first local authority to receive a 'good' rating under the new system. The self-evaluation stage had identified some improvements needed in Health and Protection and this was confirmed by the OFSTED analysis.

Members raised points on the presentation and officers responded as follows:

- There are tools to assist in identifying neglect which recognise the cumulative impact of factors. The link can be circulated to Members: <http://www.oscb.org.uk/themes-tools/neglect/neglect-toolkit-tools-and-interventions>
- The reasons why records do not always reflect the quality of work done include the fact that staff are working to capacity and prioritise giving direct support to children and families. However the directorate has a performance programme in place to drive up timely recording.
- The authority has 14 children privately fostered at the moment. It has been as high as 34/35. The Council is in regular communication with other agencies to ensure awareness of the duty to notify the LA.
- There were 2,000 Early Health Assessments (EHAs) since Jan 17 – an increase of 200%.
- The reduced number of Looked After Children (LACs) is partly due to fewer new LACs but also some children ceasing to be LACs.
- OFSTED were assured that the push to reduce the number of LACs is child-centred and not budget-driven.
- 22% of LACs are more than 20 miles outside Oxfordshire. In spite of the 42% increase in LAC over the last 3 years, OCC has done well to ensure that the percentage of children placed at distance has only increased by 4%. We have workstreams aimed at bringing them back into county wherever possible.
- The number of LACs from other LAs placed in Oxfordshire is not available but they do not absorb OCC resources and the Council is not using our own places for income generation.
- Led by Lucy Butler, 19 local authorities in the South East are working together to analyse the increase in highly complex LACs whose needs are not being met by the residential/fostering market, with a view to lobbying DfE to address national sufficiency. It was agreed to share this work with the Committee.
- Case loads are becoming more manageable now and the proportion of agency staff has reduced from 14% to 9% of social workers. Retention of staff has been addressed without increasing salaries but using bonuses and progression schemes. Oxfordshire's 'good' judgement is critical in attracting and retaining staff.
- Apprenticeships are in place – all in business support.
- There are a range of routes for unqualified staff to become qualified. For example, we sponsor 10 per year. Their degree is funded and they are paid a salary.

Members thanked officers for a very informative presentation.

It was agreed to add more in paragraph 6.14 on the issues other than the referrals to the Secretary of State discussed by the Joint Health Overview and Scrutiny Committee (HOSC).

Members expressed surprise that Cabinet Advisory Groups (CAGs) meet in private. Ms Read explained that they are included in the Annual Scrutiny Report because they operate in a similar way to scrutiny committees in that they look at specific issues and conduct deep dives.

Members of the Transport CAG stated that the Group had not agreed that one of the three possible corridors for the Oxford Cambridge Expressway would not be supported. It was agreed to remove that from paragraph 7.10.

**34/18 COMMITTEE WORK PROGRAMME**  
(Agenda No. 14)

It was agreed that the Chairman will review the work programme.

..... in the Chair

Date of signing ..... 2018